IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

ROGER TANNER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	**DOCKET NO. 3:13-cv-0042**
	)	**JURY DEMAND**
DONALD OGDEN and	)	
WILLIAM MURRAY,	)	
Defendants.	)	

PLAINTIFF'S RESPONSE TO SHOW CAUSE ORDER

Comes now the plaintiff, Roger Tanner, through counsel and files this response to the Court's Show Cause Order (Doc. 8):

1.   This is a motor vehicle collision that occurred in the Middle District of Tennessee.

2.   The Plaintiff resides in Ohio, Defendant Donald Ogden resides in Arkansas and Defendant William Murray resides in Michigan. There are two additional unnamed defendants, American General Insurance Company and Hastings Mutual Insurance Company, who provided UM/UIM coverage to Defendant Murray and Plaintiff.

3.   Undersigned counsel's office inadvertently failed to calendar and provide notice to Defendants of the initial case management conference set for March 4, 2013. *See* Declaration of Joe Napiltonia, which is attached as Exhibit A.

4.   Based on the fact that undersigned counsel's failure to appear for the initial case management conference and his failure to notify opposing counsel was inadvertent and he has never failed to appear for an initial case management conference before, he believes that the sanction of dismissal would be a harsh sanction and respectfully requests that the Court take that into consideration in weighing any sanction to impose.

Respectfully submitted,

LAW OFFICE OF JOE NAPILTONIA

/s/ Joe Napiltonia
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on March 6, 2013, a copy of the foregoing document was electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Chris Richardson, Esq.
2636 Elm Hill Pike, Suite 520
Nashville, Tennessee 37214

/s/ Joe Napiltonia
Joe Napiltonia

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